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PATENT

26448  
J.D.  
3-17-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Examining Group: 2644  
Harrow et al. : Examiner: R.P. Singh  
Serial No.: 09/803,551 : Date: March 3, 2003  
Filed: March 9, 2001 :  
For: Transmit/Receive Arbitrator

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RESPONSE

Honorable Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

SIR:

In response to the Office Action dated February 26, 2003, applicants hereby  
elect without traverse the invention defined by claims 1-6 for further prosecution.

Although phrased as an election requirement, the Office Action is being  
interpreted as a restriction requirement. Species are related inventions, such as  
alternative methods for producing the same result; sometimes represented as ABC<sub>1</sub>  
and ABC<sub>2</sub>. The question is whether the combination ABC (i.e. a generic claim) is  
allowable. That is not the situation here. Claims 7 and 8 recite apparatus that can be  
used to implement claims 1-6 but not the only apparatus. The apparatus claims  
could be represented as clauses DEF. There is no genus/species or combination/

subcombination relationship because the function performed by the apparatus recited in claims 7 and 8 is not recited in claims 1-6.

It is respectfully requested that the restriction be repeated and made final.

It is respectfully requested that an early and favorable examination be made of claims 1-6.

Respectfully submitted,



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